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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

AKKAPEDDI, PRASAD R

ART UNIT PAPER NUMBER

2871

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/481,091

Applicant(s)

WON, SE-CHANG

Examiner

Prasad R Akkapeddi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/20/2003 has been entered.

Double Patenting

2. Claims 1-24 are rejected under the judicially created doctrine of double patenting over claims 1-21 of U. S. Patent No. 6,330,148 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

3. The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: A mounting bracket (fastening unit) comprising: a vertical portion, a first horizontal portion and a second horizontal portion for supporting the front frame and a liquid crystal display for a computer having the above mentioned bracket, a backlight, a front frame, a rear frame, a system body, screw holes and a LCD. The difference between the cited patent and the instant claims is that the 'bracket is mounted internal to the front and rear frames'. The recited limitation 'is mounted' is for intended use and as such the limitation is indefinite. A claim is indefinite where it

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merely recites a use without any active, positive steps delimiting how this use is actually practiced.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 and 6 provides for the use of "is mounted", but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

Claims 1 and 6 are rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 6 (as amended) is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (Kim) (U.S. Patent No. 6,175,396) as originally cited in the Office action dated May 29, 2002 in view of Kurihara et al. (Kurihara (U.S. Patent No. 5,946,061).

In Fig. 10, Kim discloses a mounting bracket for assembling an LCD module comprising a vertical portion (72), a first horizontal portion (71) that is substantially perpendicular to a first end of the vertical portion and a second horizontal portion (73) that is substantially perpendicular to a second end of the vertical portion. The recited limitation 'for supporting the front frame' is for intended use and a front frame is not an element of a mounting bracket.

Although Kim discloses a mounting frame, it is not internal to the front and rear frames. Kurihara on the other hand, discloses a fixture and a fixing method of LCD panel and discloses an internal mounting bracket (13) (figs. 2 and 5-7). Therefore, the use of an internal mounting bracket for supporting a frame would have been obvious to one having an ordinary skill in the art at the time invention was made to reduce the space required for fixation and enhance mechanical fixing strength by relatively simpler fixing structure.

8. (a) Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim and Kurihara in view of Yun et al (Yun) (U.S. Patent No. 5,835,139).

The claimed limitations 'be coupled to the front frame, and the first horizontal portion is constructed to be coupled to the rear frame' of claim 7, and 'wherein the vertical portion is constructed to be coupled to a monitor case' of

claim 9 are considered to be as "intended use" since the front frame, rear frame and the monitor case are not elements of the mounting bracket. Besides, Yun discloses the front frame, rear frame, monitor case for an LCD monitor for a computer. Kim further discloses a second (upper) horizontal portion 73 that is substantially perpendicular to a second end of the vertical portion 72. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the mounting technique of Kim to enhance (1) the robustness of the display device and (2) to enhance the mechanical fixing strength of the device.

(b) Claims 1-5, 12-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Yun et al (Yun) (U.S. Patent No. 5,835,139) and further in view of Kurihara et al (Kurihara) (U.S. Patent No. 5,946,061).

As to claims 1-5: Although Kim discloses a bracket having a vertical coupling portion and a horizontal coupling portion, Kim does not explicitly disclose the LCD device having a first and second frames. Yun on the other hand, discloses a LCD device that includes a liquid crystal module 300 having a first frame 400 and a second frame 190, a rear monitor case 500. Yun further discloses the assembly of this module to the rear monitor case 500, via holes 410a, 410b and coupling members 430. Yun's method of using screws 430 to assemble the liquid crystal display has been further improved by Kurihara and others. Although the use of screws to assemble the LCD device is adequate, further improvements are disclosed by other inventors such as Kurihara, in

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making the frame more sturdier for better withstanding vibrations and shock due to various operating environments of the module such as mishandling, portability etc.

Instead of using screws to attach the liquid crystal module to the rear monitor case, Kurihara teaches the use of mounting a bracket 12 having a horizontal portion and a vertical portion. Module 11 is shown as a complete assembly having a first frame, a second frame and a liquid crystal panel. Kurihara's module 11 is equivalent to the liquid crystal display device 700 of Yun. Kurihara further discloses a rear monitor casing 14, for encasing the liquid crystal display module 11.

Kurihara further discloses an internal mounting bracket 13 having a vertical coupling portion 13b and a horizontal coupling portion 13a with one end of the vertical portion being perpendicular to the horizontal portion. When assembled, the brackets 12, 13, the module 11 and the rear monitor case 14 will form the liquid crystal display for a computer.

Kurihara further discloses mounting screw holes 13d and 12a for mounting the bracket to the module 11 and mounting holes 13a to the rear monitor case 14. Having mounting holes in the bottom or on the side surface of the rear monitor case is a matter of design choice. In Fig. 2, a cylindrical portion is disclosed on bracket 13, a substantial portion of which is perpendicular to the vertical portion 13b of the bracket 13.

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Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the mounting techniques of Kim and Kurihara to the liquid crystal display device disclosed by Yun to enhance (1) the robustness of the display device (2) to reduce the space required for fixing the module with the case and (3) to enhance the mechanical fixing strength of the device.

As to claims 12-24: Although, Yun discloses a LCD display device for a computer 600 and a liquid crystal monitor 300, having a LCD panel 300, a back light 110, a rear frame 400 and a front frame 190, a rear monitor case 500, mounting screws 430 and mounting holes 410, Yun does not disclose the use of brackets to assemble the device. However, Kurihara teaches the use of mounting brackets 12 and 13 to enhance the ruggedness of the device.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the mounting techniques of Kim and Kurihara to enhance (1) the robustness of the display device (2) to reduce the space required for fixing the module with the case and (3) to enhance the mechanical fixing strength of the device.

9. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Kurihara.

Although, Kim discloses the use of a mounting bracket for a liquid crystal display module, Kim does not explicitly disclose the location of mounting holes on this bracket. Kurihara on the other hand, in disclosing a similar liquid crystal

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display device, discloses a mounting bracket 12 with a vertical portion 12a, integrally mounted to a horizontal portion of the module 11b where the horizontal portion is substantially perpendicular to the vertical portion. The vertical portion is designed to be coupled to the monitor case 14, via bracket 13. The mounting holes as shown are design choices and can be placed in any configuration.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the mounting bracket of Kim to the display device disclosed by Kurihara to enhance (1) the robustness of the display device (2) to reduce the space required for fixing the module with the case and (3) to enhance the mechanical fixing strength of the device.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (1) Cho et al. (U.S. Patent No. 6,411,501). Cho discloses a portable computer and a method for mounting a flat display device module having an internal mounting bracket (20) having the shape of "C" as shown in Fig. 8.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prasad R Akkapeddi whose telephone number is 703-305-4767. The examiner can normally be reached on 7:00AM to 5:30PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0530.

BRP

May 29, 2003

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